

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

MAHMOUH MAHMUD SALIM,

Defendant.
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ORDER

LEWIS A. KAPLAN, *District Judge*.

Despite the fact that this case is closed, defendant recently filed in this case a document captioned in the Court of Appeals and bearing a Court of Appeals docket number. Dkt. 2207. The document is a motion for the appointment of one Bernard Kleinman as appellate counsel in 2d Cir. No. 21-2442.

This Court has no authority to appoint counsel in an appeal pending before the Court of Appeals. Even if it did have such authority, it would deny the motion both because it perceives no right to the appointment of appellate counsel here and because indigent prisoners have no right to choose lawyers appointed for them at public expense even where they have a right to such counsel.

The motion (Dkt 2207) is denied without prejudice to any relief defendant may seek in the Court of Appeals.

SO ORDERED.

Dated: January 7, 2022

/s/ Lewis A. Kaplan

Lewis A. Kaplan
United States District Judge

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 01/07/2022

98 Cr. 1023 (LAK)